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*Additional class counsel appear
 on signature page.*

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

DERRICK SATCHELL, KALINI BOYKIN,
 VALERIE BROWN, RICK GONZALES,
 CYNTHIA GUERRERO, RACHEL
 HUTCHINS, TYRONE MERRITT, KELVIN
 SMITH, SR., and KEN STEVENSON, on
 behalf of themselves and all others similarly
 situated,

Plaintiffs,

v.

FEDEX EXPRESS, a Delaware Corporation,
 Defendant.

Case Nos. C03-02659 SI; C03-02878 SI

CLASS ACTION

STIPULATION AND [PROPOSED]
 ORDER SETTING BRIEFING
 SCHEDULE FOR PARTIES' VERDICT
 FORM DISPUTES AND CONTINUING
 FILING DEADLINE FOR PRETRIAL
 CONFERENCE STATEMENT

1 WHEREAS, as indicated to the Court during the January 12, 2007 case management
2 conference, the parties disagree about whether certain issues, such as the validity of the Basic
3 Skills Test ("BST") and whether there is a statistically significant disparity with respect to
4 promotions, compensation, and discipline, should properly be decided by the jury or the Court;

5 WHEREAS, as a result, the parties also disagree about the conceptual framework for a
6 verdict form;

7 WHEREAS the parties agree that their verdict-form disputes should be resolved after
8 briefing and that resolution of these disputes will aid the parties in preparing for trial;

9 WHEREAS the parties also agree that additional time is needed to meet and confer about
10 evidentiary objections, jury instructions, and disputed and undisputed facts – all matters to be
11 addressed in the Joint Pretrial Conference Statement currently due February 27, 2007;

12 THEREFORE, the parties, by and through their counsel, stipulate and request that:

13 (1) The parties shall file simultaneous briefs regarding whether the Court or the jury
14 should decide the issues of the validity of the BST and whether there is a statistically significant
15 disparity with respect to promotions, compensation, and discipline on March 2, 2007;

16 (2) The parties shall file simultaneous responsive briefs on March 9, 2007;

17 (3) The parties' disputes regarding their proposed verdict forms will be heard during the
18 Pretrial Conference on March 13, 2007 at 3:30 p.m., or on the following date and time before
19 trial chosen by the Court: _____.

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(4) The deadline for filing the Joint Pretrial Conference Statement will be continued from February 27, 2007 to March 2, 2007.

Dated: Feb. 20, 2007

ALTSHULER BERZON LLP

By: 
~~James M. Finberg~~
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DATED: February 20, 2007

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Counsel for Defendant

ORDER

The foregoing stipulation is approved, and IT IS SO ORDERED.

DATED: _____



Hon. Susan Illston
United States District Judge